

Sub

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Mark Levi NORTHCUTT

Defendant

Magistrate Case No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C. § 1324(a)(2)(B)(iii) -
Bringing in Aliens Without Presentation,

Title 18, U.S.C. § 1544

Misuse of Passport

(Felony)

The undersigned complainant, being duly sworn, states:

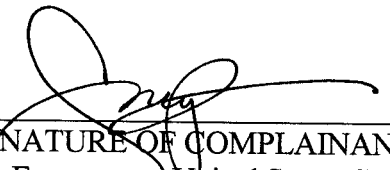
Count I

That on or about **May 20, 2008** within the Southern District of California, defendant **Mark Levi NORTHCUTT**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely **Cesar RODRIGUEZ-Ramos, Maria Eugenia SANCHEZ-Corza, and Aurelia CORZA-Bautista** had not received prior official authorization to come to, enter and reside in the United States, did attempt to bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

Count II

That on or about **May 20, 2008**, within the Southern District of California, defendant **Mark Levi NORTHCUTT** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting U.S. passport number 204505305, issued to Ronnie Lee Bittick to a Department of Homeland Security, Customs and Border Protection Officer, knowing full well that he was not Ronnie Lee Bittick, and that the passport was not issued or designed for his use, in violation of Title 18, United States Code, Section 1544.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, United States Customs
and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **21st** DAY OF
May 2008.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Cesar RODRIGUEZ-Ramos, Maria Eugenia SANCHEZ-Corza, and Aurelia CORZA-Bautista**, are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to these criminal charges and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On **May 20, 2008** at approximately **10:20 AM**, **Mark Levi NORTHCUTT (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry as the driver of a stolen black GMC Sierra. Defendant presented a photo altered United States Passport bearing the name Ronnie Lee Bittick and a counterfeit California Drivers License to a Customs and Border Protection (CBP) Officer. Defendant also gave a negative customs declaration to the CBP officer. During the inspection, Defendant appeared visibly nervous as his hands were shaking, he was avoiding eye contact and attempted to block the Officer's view into the vehicle. The CBP Officer requested and received the keys and noticed there was no vehicle key, only a house key and another smaller key. Upon inspecting the cab area, the CBP Officer discovered several persons concealed under a black cloth. The vehicle and its occupants were subsequently escorted to secondary for further inspection.

In secondary, five people were removed from the rear seat area. Five of the three concealed persons were retained as Material Witnesses and are now identified as: **Cesar RODRIGUEZ-Ramos (MW1), Maria Eugenia SANCHEZ-Corza (MW2), and Aurelia CORZA-Bautista (MW3)**. Material Witnesses were determined to be citizens of Mexico without legal documents to enter into the United States.

Separate videotaped interviews were conducted with Material Witnesses. Material Witnesses admitted they are citizens of Mexico without legal documents to enter or reside in the United States. Material Witnesses stated they made their own arrangements with an unknown female and were to pay \$3000.00 USD to be smuggled into the United States. Material Witness 1 stated he intended to travel to San Jose, California to seek employment. Material Witness 2 & Material Witness 3 stated they intended to travel to Los Angeles, California to seek employment.